

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,)	
)	
v.)	CASE NOS. 2:03-cr-135-MEF
)	(WO)
CLAYTON LAMAR YOUNG, Jr.)	

MEMORANDUM OPINION AND ORDER

This cause is before the Court on the United States' Motion to Seal (Doc. # 87), filed November 26, 2007. This Motion asked the Court to place under seal the United States' Motion to Reduce Sentence Under Rule 35 for Substantial Assistance of Mr. Young (Doc. # 88), filed November 26, 2007. This Court heard argument on both motions on December 11, 2007. This Court granted the Government's Rule 35 Motion to Reduce Sentence at that hearing. Based on this Court's decision to grant the Rule 35 reduction in sentence, the Government represented to this Court that the basis for their motion to seal was moot with the exception of one piece of information contained in one exhibit which needed to remain under seal.

Based on the arguments presented by the Government at the hearing and in their brief, this Court finds that there is an overriding interest sufficient to overcome the presumption of openness, and that placing the information requested by the Government under seal is essential to preserve higher values—in this case the threat of harm to an individual—and that the closure being ordered by this Court is narrowly tailored to serve that interest. *Press-*

Enterprise Co. v. Superior Court, 464 U.S. 501, 510 (1984).

For the foregoing reasons, it is hereby ORDERED as follows:

- (1) The United States' Motion to Seal (Doc. # 87) is GRANTED IN PART AND DENIED IN PART. The Motion is GRANTED to the extent of the agreed redaction to Exhibit I of the Motion to Reduce Sentence (Doc. # 88). The Motion is otherwise DENIED as moot.
- (2) Accordingly, Document Nos. 87 and 91 shall be filed publicly. Document No. 88 shall be filed publicly, except that only the redacted version of Exhibit I may be filed publicly. The unredacted version of Document No. 88 shall remain under seal.

DONE this the 12th day of December, 2007.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE